

**From:** [Paul Stolpman](#)  
**To:** [Alyssa Roslan](#); [lisa.mangat@parks.ca.gov](mailto:lisa.mangat@parks.ca.gov); [Mary Nichols](#)  
**Subject:** Case No. 17-01, Stipulated Order  
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I am requesting, as a resident of the Nipomo Mesa exposed to unhealthy levels of PM10 and PM2.5, that the Proposed Order of Abatement as drafted, be rejected by the Hearing Board.

There are many flaws to the very complicated processes laid out in this Stipulation but I believe the main problems are the following:

1. The Stipulation allows the State Parks to deny, in the face of overwhelming evidence, that it is violating California Health & Safety Code section 41700, District Rule 402, or District Rule 1001.11. The Hearing Board must at least make a clear finding that the Park is causing a nuisance.
2. The Stipulation does not clearly spell out the basis for a finding of non-compliance or the penalties that will be imposed. This Stipulation will not work without those being more clearly spelled out.
3. The Stipulation must call for a cancer risk assessment to be paid for by Parks based on the monitoring of Crystalline Silica by the APCD and Parks. Crystalline Silica is listed as a human carcinogen by the California Office of Environmental Health Hazard Assessment and the residents of the Nipomo Mesa need to know the cancer risk being posed by emissions from the ODVRA.

Overall I believe the Stipulation should be rejected by the Hearing Board. If it is accepted I would request that the points I make above be included.

Thank you.

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